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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,811	11/24/2003	Gaetano Mauri	66821-010-5	3454

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EXAMINER
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COTTINGHAM, JOHN R

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/718,811

**Applicant(s)**

NAURI, GAETANO

**Examiner**

John R. Cottingham

**Art Unit**

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 20 is/are rejected.
- 7) ☒ Claim(s) 15-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 8 and 19 are objected to because of the following informalities: the term "or the like" renders the claim indefinite because it is unclear as to what is being claimed. Appropriate correction is required.

### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 1-14 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Greiser et al. U.S. Patent 5,772,353. Greiser et al. shows all of the claimed subject matter of a device for joining in figures 1-12.

Regarding claim 1, Device for joining together, in a longitudinal direction, two parts (120,134) arranged at 90° with respect to each other, comprising a head (22) integral with one (120) of the two parts to be joined, a pin (26) integral with the other (134) of the said parts to be joined, characterized in that said head has, arranged inside it, a gearing (54,56) able to be actuated in a direction perpendicular to the longitudinal joining direction and operate said pin (300) so to determine joining together of the two parts (1,2) in the longitudinal direction.

Regarding claim 2, characterized in that said head (100) is formed by a first half-head (24) and by a second half-head (40) which can be joined together by means of associated coupling elements (32) and corresponding centering seats (opening for inner member 24).

Regarding claim 3, characterized in that the first half-head (24) has inside it a first coaxial seat (98) which is open towards the flat front side of the half-head (24) and blind towards the opposite end coinciding with the curved side surface of the said half-head.

Regarding claim 4, characterized in that the front edge of the seat (94) has an annular undercut portion (edge of the opening).

Regarding claim 5, characterized in that the half-head (40) has, formed inside it, a second seat (70) arranged along a horizontal plane and

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intersecting the said longitudinal seat so that the two recesses are open and communicate with each other along the axial extension of the said seats.

Regarding claim 6, characterized in that the said second seat (40) opens outwards by means of a hole (for bolt 30) with an axis perpendicular to the longitudinal direction formed in the upper front surface of the half-head.

Regarding claim 7, characterized in that said second half-head (40) has a first seat passing through the curved side surface of the half-head (70) via a hole coaxial with the longitudinal direction.

Regarding claim 8, characterized in that said half-head (40) has a second seat (back part of the opening) arranged along a horizontal plane and tangential to the said longitudinal seat (121).

Regarding claim 9, characterized in that said second seat extends towards the inside of the half-head (40) only over a short axial distance.

Regarding claim 10, characterized in that said gearing (54) comprises a toothed wheel (56) which has teeth extending from one side of the wheel parallel to the axis of rotation thereof and along the entire circumference of the wheel.

Regarding claim 11, characterized in that said toothed wheel has an actuating seat (38) formed on the side of the wheel opposite to that of the teeth (56).

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Regarding claim 12, characterized in that said actuating seat (38) has a profile shaped according to one or more cross-like/hexagonal profiles or the like of corresponding operating spanners.

Regarding claim 13, characterized in that said gearing (56) comprises a toothed rim annularly formed on the external surface of a coaxial tube which is also provided with an internal female thread (end of 66).

Regarding claim 14, characterized in that said toothed rim (56) is axially arranged at a certain distance from the edge of the tube so as to define an axial section thereof able to be coaxially inserted inside said first longitudinal seat of the half-head (24).

Regarding claim 20, use of the device according to Claim 1 for adjusting the level position of a furniture element or the like. Griesler meet the limitations of the like from members 120 ad 134.

***Allowable Subject Matter***

3. Claims 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

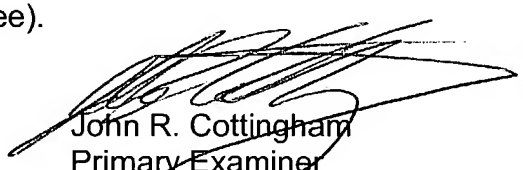
**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Salice U.S. Patent 5,762,442, Salice 5,667,327, and Giovannetti U.S. Patent 4,693,630 show similar inventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (703) 306-3439. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John R. Cottingham  
Primary Examiner  
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